

REMARKS

By this amendment, claims 1, 3, and 17 have been amended, and new claims 18 and 19 have been added. Hence, claims 1-10 and 17-19 are currently pending in the application.

Claim Rejections Under 35 USC § 112

Claims 1-17 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The Office Action states that “the rougher surface is substantially less transparent” than “the viewing area” has not been described in the specification. As the Examiner has stated, “[a]pparently, the purpose of roughening the surface described in the specification is to make the light diffusely scattered and thus, to make the surface substantially nontransparent.”

Applicant respectfully submits that there is sufficient description in the specification so as to enable one skilled in the art to make and/or use the invention. The specification states that “the housing according to the invention has an outer and/or inner surface, which is machined, preferably structured, so that the housing is essentially nontransparent to visible light. The housing is not machined in at least one viewing area and is therefore transparent.” (Specification, page 3, lines 12-15). With regard to such machining, the specification states that “both the outer surface of the housing and the inner surface of the housing or outside and inside surface of the housing can be machined according to the invention... In particular, the surfaces of

the die can be roughened by grinding, treatment with a blasting abrasive or etching.”

(Specification, page 4, lines 12-16, emphasis added).

Thus, the specification describes an embodiment in which the housing is machined to make it nontransparent, and that such machining can be implemented by making it rougher than the viewing area. Therefore, it is respectfully submitted that claims 1-17 are patentable under 35 U.S.C. § 112, first paragraph.

Claim Rejections Under 35 USC § 103

Claims 1-3, 6, 10, 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over JP 07027626 (hereinafter JP) in view of Mock et al. 4,037,470 (hereinafter Mock).

Claims 4, 7 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over JP and Mock as applied to claims 1-3, 6, 10, 17, and further in view of Takagi 4,729,672.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP and Mock as applied to claims 1-3, 6, 10 and 17, and further in view of Plimpton.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP and Mock's applied to claims 1-3, 6, 10 and 17, in view of Tseng.

JP discloses a thermometer comprising a housing made of a transparent material whose surface other than a window (viewing area) is coated with an opaque member, such as acrylic lacquer paint (JP, abstract). As stated by the Examiner, “JP does not disclose an inner or outer surface to be made opaque by roughening.” (Office Action, 6/5/2002, page 3).

Mock is directed to a system for measuring high energy laser beam power with a hollow spherical casing provided with an inlet opening for admitting the full intensity of the laser beam. The inner surface of the casing is roughened or blackened by surface treatment to assist in

absorptivity or heat exchange and minimize reflections of the incoming laser beam rays. (Mock, Column 4, lines 39-43).

In contrast to the cited references, claim 1 has been amended to recite an electronic fever thermometer comprising a temperature sensor, an electronic circuit, a display element, and a

a housing including a main part formed as a single monolithic unit made of a transparent material enclosing the electronic circuit, the housing having a display window consisting of the transparent material in an untreated state, and configured to allow viewing of the display therethrough, the housing further having an inner surface and an outer surface, wherein a substantial portion of at least one of the inner and outer surfaces is treated through a roughening process that renders the substantial portion to be essentially non-transparent and thereby render the electronic circuit enclosed within the housing to be non-viewable relative to the display element

Thus, claim 1 essentially claims an electronic thermometer with a housing treated with a roughening process that allows the viewing of a display element within the housing, but that blocks light to render the electronic components within the housing to be non-viewable.

The Mock patent does not teach or suggest the roughening of a surface to block light in one area while transmitting light in another area. Instead, Mock teaches the roughening of the entire inner surface of a copper sphere to absorb incoming laser beam energy. It is therefore, respectfully submitted that neither JP nor Mock, either alone or in combination, teach or suggest the electronic thermometer claimed in claim 1, as amended. Thus, applicant respectfully submits that claim 1 is patentable under 35 U.S.C. § 103 in view of the cited references.

Claims 2-10 and new claim 18 depend from claim 1. Therefore, for the reasons stated above with respect to claim 1, it is respectfully submitted that claims 2-10 and 18 are patentable under 35 U.S.C. § 103 in view of the cited references.

Claim 17 has been amended to claim an electronic thermometer including elements similar to those contained in amended claim 1. Therefore, for the reasons stated above with

respect to claim 1, it is respectfully submitted that claims 17 and its dependent, new claim 19 are patentable under 35 U.S.C. § 103 in view of the cited references. Specifically, none of the cited references teaches or suggests an electronic thermometer comprising a temperature sensor, an electronic circuit, a display element, and a housing made of a transparent material that is treated (roughened) to allow viewing of the display element, but blocks the internal electronic circuit from view.

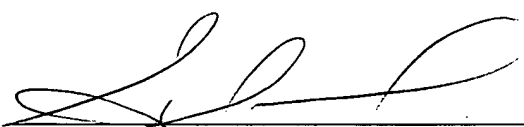
It is respectfully submitted that in view of the amendments and remarks set forth herein, the applicable rejections have been overcome. It is further respectfully submitted that support for the claim amendments and additions made herein is provided in the specification, drawings, and claims of the application as originally filed. Specifically, support for the claim amendments and new claims can be found in the original specification on page 3, lines 17-20, and page 4, lines 17-18.

If there are any additional charges, please charge them to our Deposit Account
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Respectfully submitted,

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